UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/46/536
9 October 1991

ORIGINAL: ENGLISH

Forty-sixth session
Agenda item 72

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Palestine refugees in the Palestinian territory occupied by Israel since 1967

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 45/73 E of 11 December 1990, the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Strongly reiterates its demand that Israel desist from the removal and resettlement of Palestine refugees in the Palestinian territory occupied by Israel since 1967 and from the destruction of their shelters;

"2. Requests the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to address the acute situation of the Palestine refugees in the Palestinian territory occupied by Israel since 1967 and accordingly to extend all the services of the Agency to those refugees;

"3. Requests the Secretary-General, in cooperation with the Commissioner-General, to resume issuing identification cards to all Palestine refugees and their descendants in the occupied Palestinian territory, irrespective of whether or not they are recipients of rations and services of the Agency;

"4. Also requests the Secretary-General, after consulting with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution and in particular on Israel's compliance with paragraph 1 above."

2. On 15 February 1991, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 2 July 1991, the Permanent Representative of Israel replied as follows:

"Israel's position on this resolution has been set forth in successive annual replies submitted to the Secretary-General in recent years. The report of the Secretary-General A/45/464 dated 11 September 1990 contained the latest of these replies. In addition, Israel's representative to the Special Political Committee reiterated Israel's position during his statement dated 27 October 1989 (A/SPC/44/SR.8).

"This resolution is unbalanced and distorted in that its sponsors intentionally ignore the improved living conditions in the Gaza District since 1967. Resolution 45/73 E does not mention the considerable increase of pupils attending school in the Gaza District since 1967, nor does it mention the significant drop in the illiteracy rate among inhabitants in the Gaza District since that year. Furthermore, it does not mention the extensive development of medical care or the improvement of environmental services - including water supply, sewage and refuse disposal. By conveniently omitting these facts, the sponsors of resolution 45/73 E continue in their approach to perpetuate the refugee problem and the refugees' living conditions in Gaza.

"Nothing can be more indicative of this approach than this resolution's condemnation of refugee rehabilitation projects. Since 1967, Israel has initiated community development projects in the Gaza District enabling some 20,000 families, approximately 150,000 persons to leave the refugee camps on a voluntary basis and relocate to nearby residential areas. Israel's vital role in planning and implementing these housing projects has been recognized by both the Secretary-General and the High Commissioner of UNRWA in their respective reports (A/40/613 and A/40/13).

"Furthermore, the resolution's request of the Secretary-General to resume issuing identity cards irrespective of the refugees' need for them is yet another indication of the resolution's patent political bias.

"Notwithstanding subversive efforts to the contrary, Israel is determined to pursue the humanitarian task of improving the living conditions of the refugees through projects such as the refugee housing programmes. Israel will welcome all assistance on behalf of the international community intended to improve the refugees' living conditions."

4. The following information concerning Israel's compliance with General Assembly resolution 45/73 E is based on reports from the Commissioner-General of UNRWA.

5. During the period under review, the Israeli authorities have continued to demolish and seal refugee shelters in the Gaza Strip and the West Bank on punitive grounds. The matter is dealt with in detail in the Commissioner-General's annual report to the General Assembly. 1/

6. The Agency is following up with the Israeli authorities the rehousing of refugees who remain affected by the demolitions in 1971 in the Gaza Strip. Paragraph 6 of last year's report (A/45/464) referred to the status of 87 families categorized as living in hardship conditions. The situation on 30 June 1991 remains virtually the same: Of these 87 families, 12 continue to live in conditions of hardship, 19 remain unsatisfactorily housed, 37 are satisfactorily housed, and 18 had previously purchased houses in projects sponsored by the Israeli authorities. One family bought a piece of land (250 sq m) and built a house. The situation of the 12 families living in conditions of hardship has been checked several times during the reporting period. Despite repeated assurances by the Israeli authorities that they will be rehoused, that a solution has been developed and would be implemented as soon as possible, no progress has been made.

7. During the reporting period, the Commissioner-General obtained the following information relating to refugee shelters demolished by the Israeli authorities in the Gaza Strip on the grounds that they had been built without proper authority on State land outside camp boundaries:

(a) There has been no change in the situation of the families living on the northern perimeter of Jabalia Camp who, as described in paragraph 7 (a) of last year's report (A/45/464), had been told by the Israeli authorities in 1989 to remove some of their shelter extensions. No demolitions have taken place so far, but the shelters remain isolated by the bulldozing of sand around them.

(b) Similarly, the situation of the 35 families whose shelters on the perimeter of Beach Camp were demolished in 1983 remains the same as was described in paragraph 7 (b) of last year's report.

8. There has been no change in the situation of the families who, at the instance of the Israeli authorities, had agreed to relocate from Block Q of Rafah Camp to the Tel-es-Sultan housing project. Some families still remain in their shelters, of which 13 are isolated by sand ramparts.

9. During the reporting period, no new plots of land in housing projects in the Gaza Strip were allocated by the Israeli authorities for refugees living in camps. No new movements took place from camps to housing projects. An additional 35 plots of land in the Tel-es-Sultan housing project were allocated to families from the so-called Canada Camp.

10. The Israeli authorities, according to information available to the Commissioner-General, have to date allocated approximately 3,914 plots of land in the Gaza Strip for housing projects. A total of 2,605 plots have been built on by 3,714 refugee families comprising 22,946 persons; buildings on 236 plots are under construction; 936 plots are still vacant and 137 have been built on by non-refugee families. In addition, 3,034 refugee families, consisting of 18,823 persons, have moved into 2,666 completed housing units consisting of 5,893 rooms.

11. Refugee families are continuing to purchase plots of land at subsidized rates for the construction of houses in the projects developed by the Israeli authorities in the Beit Lahiya, Nazleh and Tel-es-Sultan areas. The construction of multi-storey apartment blocks in Sheikh Radwan, sponsored by the Israeli authorities and offered for sale upon completion, as reported last year (A/45/464, para. 11) continues, but the process has slowed down considerably due to the prevailing situation.

12. With regard to the request addressed to the Commissioner-General in paragraph 2 of resolution 45/73 E, the Commissioner-General advises that since 1988, in addition to providing all its regular services, the Agency has been providing emergency food, medical and other assistance to those in need in the occupied territory. The Agency has also begun a longer-term programme to upgrade infrastructure, especially in the camps, and to improve economic and social conditions. These programmes are discussed in detail in the recent reports of the Commissioner-General. 2/

13. The Secretary-General regrets that he is unable at present to comply with the request addressed to him in paragraph 3 of the resolution. Under an arrangement that has been followed for 40 years, all refugee families registered with UNRWA are in possession of registration cards issued by the Agency. While these cards indicate the number of family members and whether they are eligible for services, they are not identification cards and have a much more limited purpose. The Commissioner-General of UNRWA has pointed out that the Agency issues a registration card reflecting data about the refugee family concerned, which is entered on the registration roll at the time of registration. While the need for documentation, such as is required in the resolution, is appreciated, the Commissioner-General does not have the means to issue identity cards as such. He will, however, keep the situation under review to see whether appropriate documentation regarding the registration status of individual members of refugee families could be issued.

Notes

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 13 (A/46/13), chap. VII, sect. B.

2/ Ibid., Forty-third Session, Supplement No. 13 (A/43/13), chap. II, sect. B; ibid., Forty-fourth Session, Supplement No. 13 (A/44/13), chap. VI, sects. C and D; ibid., Forty-fifth Session, Supplement No. 13 (A/45/13), chap. VI, sects. C and D; and ibid., Forty-sixth Session, Supplement No. 13 (A/46/13), chap. VI, sects. C and D.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/46/537
9 October 1991

ORIGINAL: ENGLISH

Forty-sixth session
Agenda item 72

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Resumption of ration distribution to Palestine refugees

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 45/73 F of 11 December 1990, in which the Assembly expressed regret that its resolutions 37/120 F, 38/83 F, 39/99 F, 40/165 F, 41/69 F, 42/69 F, 43/57 F and 44/47 F have not been implemented; called once again upon all Governments, as a matter of urgency, to make the most generous efforts possible and to offer the necessary resources to meet the needs of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, particularly in the light of the interruption by the Agency of the general ration distribution to Palestine refugees in all fields, and therefore urged non-contributing Governments to contribute regularly and contributing Governments to consider increasing their regular contributions; requested the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East to resume on a continuing basis the interrupted general ration distribution to Palestine refugees in all fields; and requested the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly at its forty-sixth session on the implementation of the present resolution.

2. The Agency has continued to provide food assistance to the most needy sector of the refugee population, special hardship cases, who numbered 155,980 persons in December 1990.

3. The Agency is also continuing its emergency distributions of basic commodities, such as flour, rice, sugar, animal protein and skim milk to those in need, including non-registered Palestinians in the occupied territory and

Lebanon. In 1990, 17,600 tons of these commodities were distributed to 676,000 recipients in the Gaza Strip; 15,300 tons to 322,000 in the West Bank; and 6,000 tons to 435,000 recipients in Lebanon.

4. Given the lack of additional resources, it has not been possible for the Commissioner-General to consider resumption of a general distribution of basic food rations to all refugees.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/46/538
9 October 1991

ORIGINAL: ENGLISH

Forty-sixth session
Agenda item 72

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Return of population and refugees displaced since 1967

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of paragraph 5 of its resolution 45/73 G of 11 December 1990, entitled "Return of population and refugees displaced since 1967", the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Reaffirms the inalienable right of all displaced inhabitants to return to their homes or former places of residence in the territories occupied by Israel since 1967, and declares once more that any attempt to restrict, or to attach conditions to, the free exercise of the right to return by any displaced person is inconsistent with that inalienable right and is inadmissible;

"2. Considers any and all agreements embodying any restriction on, or condition for, the return of the displaced inhabitants as null and void;

"3. Strongly deplores the continued refusal of the Israeli authorities to take steps for the return of the displaced inhabitants;

"4. Calls once more upon Israel:

"(a) To take immediate steps for the return of all displaced inhabitants;

"(b) To desist from all measures that obstruct the return of the displaced inhabitants, including measures affecting the physical and demographic structure of the occupied territories;

"5. Requests the Secretary-General, after consulting with the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to report to the General Assembly, before the opening of its forty-sixth session on Israel's compliance with paragraph 4 above."

2. On 15 February 1991, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any steps his Government had taken or envisaged to take in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 2 July 1991, the Permanent Representative of Israel replied as follows:

"Israel's position on this resolution has been detailed fully in successive annual replies submitted to the Secretary-General in recent years. The report of the Secretary-General A/45/466 dated 8 September 1990, contained the latest of these replies.

"The Government of Israel has continued to make every effort possible to review individual cases of resettlement based upon the merits of each case. As a result, the total number of persons that have returned to the administered territories is approximately 78,473."

4. In connection with paragraph 4 (a) of General Assembly resolution 45/73 G, the Secretary-General has obtained from the Commissioner-General of UNRWA the information available to him on the return of refugees registered with the Agency. As indicated in previous reports on the subject, the Agency is not involved in any arrangements for the return of refugees nor is it involved in any arrangements for the return of displaced persons who are not registered as refugees. Its information is based on requests by returning registered refugees for transfer of their entitlements for services to the areas to which they have returned and subsequent correction of records. The Agency would not necessarily be aware of the return of any registered refugees who did not request the provision of services. So far as is known to the Agency, between 1 July 1990 and 30 June 1991, 254 refugees registered with UNRWA returned to the West Bank and 47 to the Gaza Strip. It should be noted that some of these may not themselves have been displaced in 1967, but may be

members of the family of a displaced egistered refugee whom they accompanied on his return or joined thereafter. Thus, taking into account the estimate given in paragraph 4 of last year's report (A/45/466), the number of displaced registered refugees who are known by the Agency to have returned to the occupied territory since June 1967 is about 12,000. The Agency is unable to estimate the total number of displaced inhabitants who have returned. It keeps records only of registered refugees and, as pointed out above, even those records, particularly with respect to location of registered refugees, may be incomplete.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/46/539
9 October 1991

ORIGINAL: ENGLISH

Forty-sixth session
Agenda item 72

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Protection of Palestine refugees

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 45/73 I of 11 December 1990, entitled "Protection of Palestine refugees", the operative paragraphs of which read as follows:

> "The General Assembly,
>
> "...
>
> "1. Holds Israel responsible for the security of the Palestine refugees in the occupied Palestinian territory, including Jerusalem, and other Arab territories occupied by Israel since 1967, and calls upon it to fulfil its obligations as the occupying Power in this regard, in accordance with the pertinent provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;
>
> "2. Calls upon all the High Contracting Parties to the Convention to take appropriate measures to ensure respect by Israel, the occupying Power, for the Convention in all circumstances in conformity with their obligation under article 1 thereof;
>
> "3. Strongly urges the Security Council to consider the current situation in the occupied Palestinian territory, taking into account the recommendations contained in the reports of the Secretary-General dated 21 January 1988 and 31 October 1990;
>
> "4. Urges the Secretary-General, in consultation with the Commissioner-General of the United Nations Relief and Works Agency for

Palestine Refugees in the Near East, to continue his efforts in support of the upholding of the safety and security and the legal and human rights of the Palestine refugees in all the territories under Israeli occupation in 1967 and thereafter;

"5. Calls once again upon Israel to desist forthwith from acts of aggression against the Lebanese and Palestinian population in Lebanon;

"6. Demands that Israel, the occupying Power, release forthwith all arbitrarily detained Palestine refugees, including the employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;

"7. Calls once again upon Israel to compensate the Agency for damages to its property and facilities resulting from the invasion of Lebanon by Israel in 1982, without prejudice to the latter's responsibility for all damages resulting from that invasion, as well as for other damages to the Agency resulting from the policies and practices of Israel, the occupying Power, in the occupied Palestinian territory;

"8. Requests the Secretary-General, in consultation with the Commissioner-General, to report to the General Assembly, before the opening of its forty-sixth session, on the implementation of the present resolution."

2. On 15 February 1991, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations, in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 2 July 1991, the Permanent Representative of Israel replied as follows:

"Israel's position on this resolution was fully set forth in statements by Israel's representative to the Special Political Committee on 15 November 1985 (A/SPC/41/SR.14), and in the report of the Secretary-General (A/45/61) dated 23 October 1990.

"The adoption of resolution 45/73 I entitled 'Protection of Palestinian Refugees' is clearly hypocritical, anachronistic and out of place. Despite Israel's withdrawal from Lebanon in 1985, this resolution still blames Israel for the 'suffering of the Palestinians' in Lebanon. Not surprisingly, the sponsors of this resolution continue to blame Israel for Arab persecution of Palestinian refugees.

"In recent years, thousands of Palestinians have been killed and wounded in Lebanese refugee camps in vicious fighting totally unconnected

with Israel. Likewise, Palestinian refugee camps in Syria and Jordan have been the scenes of considerable human misery which the authors of Resolution 45/73 I choose to ignore.

"This selective and distorted presentation of the Palestinian refugees' situation in Arab countries by the sponsors of Resolution 45/73 I, clearly illustrates the double standards inherent in this resolution and the blatant disregard for the general welfare of the Palestinian refugees.

"The unabashed cynicism employed by the authors of this resolution reaches its pinnacle in the total disregard of the gruesome, ruthless and systematic campaign of assassinations carried out against, inter alia, the Palestinian Arab refugees in Judea, Samaria and the Gaza District, in which over 437 Palestinian Arabs have been murdered in cold blood by PLO and other terrorist death squads since December 1987. Notwithstanding innumerable appeals by the Government of Israel, including a letter of the Permanent Representative of Israel to the Secretary-General dated 2 April 1990 (A/45/189-S/21225) and repeated statements by the Permanent Representative of Israel to the Security Council, the latest being 24 May 1991 (S/PV.2989), the United Nations remains ominously silent in this regard.

"In the context of the operative part of this resolution, it is emphasized that in keeping with international law, Israel alone is competent to ensure full protection to all the inhabitants of Judea, Samaria and the Gaza District."

4. As set out in his annual report for the period 1 July 1990 to 30 June 1991 1/ the Commissioner-General of UNRWA has continued his efforts, in consultation with the Secretary-General, in support of the safety and security and the legal and human rights of the Palestine refugees in the occupied territory. In this connection, UNRWA international staff in the occupied territory, in particular Refugee Affairs Officers, have continued to play an important role in helping to reduce tensions and to prevent maltreatment of the refugees, especially vulnerable groups such as women and children. The Commissioner-General has also protested to the Israeli authorities against excessive use of force, collective punishments, punitive demolitions, sealing of shelters and other such measures, as a failure on the part of the Israeli military authorities to uphold standards required under international humanitarian law. A fuller description of the efforts of the Commissioner-General in this regard is contained in his annual report 1/ and in the report submitted to the Security Council by the Secretary-General in accordance with resolution 681 (1990). 2/

5. Following the withdrawal of the Israeli forces from the Saida and Tyre areas in February and April 1985 respectively (see A/40/756, para. 5), there is nothing further to state regarding the Palestine refugees in Lebanon in the context of the present report.

6. Section IV.D of the annual report of the Commissioner-General of UNRWA to the General Assembly 1/ reviews the efforts UNRWA has made during the period to continue its programme for the repair of refugee shelters damaged and destroyed during the fighting in Lebanon.

7. There has been no progress on the claim by UNRWA against the Government of Israel regarding damage to its property and facilities resulting from the Israeli invasion of Lebanon in 1982.

Notes

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 13 (A/46/13).

2/ S/22472.

UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/46/540
9 October 1991

ORIGINAL: ENGLISH

Forty-sixth session
Agenda item 72

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

University of Jerusalem "Al-Quds" for Palestine refugees

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolution 45/73 J of 11 December 1990, the operative part of which reads as follows:

"The General Assembly,

"...

"1. Emphasizes the need for strengthening the educational system in the Palestinian territory occupied by Israel since 5 June 1967, including Jerusalem, and specifically the need for the establishment of the proposed university;

"2. Requests the Secretary-General to continue to take all necessary measures for establishing the University of Jerusalem "Al-Quds", in accordance with Assembly resolution 35/13 B of 3 November 1980, giving due consideration to the recommendations consistent with the provisions of that resolution;

"3. Calls once more upon Israel, the occupying Power, to cooperate in the implementation of the present resolution and to remove the hinderances that it has put in the way of establishing the University of Jerusalem "Al-Quds";

"4. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the progress made in the implementation of the present resolution."

2. It will be recalled that the General Assembly first considered the establishment of the proposed university at its thirty-fifth session. At that session it adopted, on 3 November 1980, resolution 35/13 B, in paragraph 5 of which it requested the Secretary-General, in coordination with the Council of the United Nations University, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the United Nations Educational, Scientific and Cultural Organization (UNESCO), "to study ways and means of establishing at Jerusalem a university of arts and sciences to cater to the needs of Palestine refugees in the area, under the aegis of the United Nations".

3. Since then, the General Assembly has adopted 10 further resolutions on the subject (36/146 G of 16 December 1981, 37/120 C of 16 December 1982, 38/83 K of 5 December 1983, 39/99 K of 14 December 1984, 40/165 K of 16 December 1985, 41/69 K of 3 December 1986, 42/69 K of 2 December 1987, 43/57 J of 6 December 1988, 44/47 J of 8 December 1989 and 45/73 J of 11 December 1990) and the Secretary-General has submitted nine reports (A/37/599, A/38/386, A/39/528, A/40/543, A/41/457, A/42/309, A/43/408, A/44/474 and A/45/530) on the steps he has taken in pursuance of those resolutions, including his efforts to prepare the functional feasibility study on establishing the proposed university that was first requested by the Assembly in its resolution 36/146 G. The position of the Government of Israel in regard to the establishment of the university is also set out in those reports.

4. As the Secretary-General has previously indicated (see A/41/457, para. 4), he believes that, in order to comply with the request addressed to him by the General Assembly, it will be necessary to complete the functional feasibility study initiated in pursuance of previous Assembly resolutions. To that end, after Assembly resolution 45/73 J was adopted, the Secretary-General again sought the assistance of the Rector of the United Nations University, who at his request made available a highly qualified expert to assist in the preparation of the study. The expert was to visit the area and meet with the competent Israeli officials, bearing in mind that Israel exercises effective authority in the area concerned.

5. In a note verbale addressed to the Permanent Representative of Israel to the United Nations on 10 September 1991, the Secretary-General, with reference to the request addressed to him by the General Assembly, requested that the Government of Israel facilitate the visit of the expert, which would take place at a mutually convenient date. Recalling the position taken by the Government of Israel concerning the proposed university, as well as the clarifications already given by the Secretariat to the questions raised by the Israeli authorities (see A/36/593, annex), the Secretary-General expressed the opinion that such questions could be best discussed on the occasion of the visit of the United Nations expert.

6. On 25 September 1991, the Permanent Representative of Israel sent the following reply to the Secretary-General:

"The position of the Government of Israel on resolution 45/73 J was clarified in the Permanent Representative of Israel's note verbale to the Secretary-General dated 2 July 1991, which stated, inter alia, that 'The Government of Israel has voted consistently against this resolution ... and its position remains unchanged. It is clear that the sponsors of resolution 45/73 J seek to exploit the fields of higher education in order to politicize issues totally extraneous to genuine academic pursuits.' Accordingly, the Government of Israel believes it would not be beneficial for the proposed visit to take place."

7. In view of the position taken by the Government of Israel, it has not been possible to complete the functional feasibility study on the proposed university at Jerusalem as planned.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/46/541
9 October 1991

ORIGINAL: ENGLISH

Forty-sixth session
Agenda item 72

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Protection of Palestinian students and educational institutions and safeguarding of the security of the facilities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the occupied Palestinian territory

Report of the Secretary-General

1. The present report is submitted to the General Assembly in pursuance of its resolution 45/73 K of 11 December 1990, the operative paragraphs of which read as follows:

"The General Assembly,

"...

"1. Condemns the repeated Israeli raids on the premises and installations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and calls upon Israel, the occupying Power, to refrain from such raids;

"2. Deplores the policy and practices of Israel, the occupying Power, which have led to the prolonged closure of educational institutions, a large number of which are operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and the repeated disruption of medical services;

"3. Calls upon Israel, the occupying Power, to open immediately all closed educational institutions and to refrain from closing them thereafter;

"4. Requests the Secretary-General to report to the General Assembly at its forty-sixth session on the implementation of the present resolution."

2. On 15 February 1991, the Secretary-General addressed a note verbale to the Permanent Representative of Israel to the United Nations in which he drew attention to his reporting responsibility under the resolution and requested the Permanent Representative to inform him of any steps his Government had taken or envisaged taking in implementation of the relevant provisions of the resolution.

3. In a note verbale dated 2 July 1991, the Permanent Representative of Israel replied as follows:

"This resolution is unbalanced, distorting the role and policy of the Government of Israel. The policy of the Government of Israel has been, and remains, to encourage the improvement and development of the educational system in Judea, Samaria and the Gaza District. During the period of Israel's administration, the level of education and literacy in these territories has improved markedly and many new institutions of learning were established.

"Since December 1987, however, the schools have frequently been exploited as centres for the organizing and launching of violent activities. Unrest was caused by masked extremists, affiliated with the PLO and other groups, who forcibly entered classrooms during school hours and compelled students to join violent demonstrations.

"Measures taken by the authorities have been a direct result of, and in reaction to, activities of these extremist elements.

"Such measures have been extremely successful and have enabled the Government of Israel to permit five of the seven institutions of higher education in the administered territories to reopen. Four of the institutions have in fact opened their doors and they are: Al-Bireh University, Bethlehem University, Abu-Dis University and the Islamic University in Hebron. Permission was also granted to Al-Najah University to reopen, on condition that the student body would not interfere in the formation of the faculty. Though the administration of Al-Najah agreed to the stated condition, they were subsequently subjected to hostile threats from extremist elements and have not yet reopened. The reopening of Bir Zeit University will be considered based on the experience of the other institutions.

"As a result of the Gulf War, most schools were closed for a period of one month. Additional days were missed because of security problems and various schools lost still more days of classtime upon instructions to close from extremist groups such as the PLO and Hamas. Due to these disruptions, the school year was extended to June 10 in the Gaza District and July 1 in Judea and Samaria in order to compensate the students for

the school days which were missed. Extremist elements have, however, continued to disrupt the school system, both through violent agitation and frequent strikes.

"This resolution ignores these facts.

"The Government of Israel will continue to make every effort to normalize the educational environment within the framework of the difficult security situation caused by violent agitation and intimidation by PLO and other extremist affiliates."

4. The following information concerning Israel's compliance with General Assembly resolution 45/73 K is based on reports from the Commissioner-General of UNRWA. It covers the period from 1 July 1990 to 30 June 1991 and relates exclusively to UNRWA educational institutions and other facilities. Further information is contained in the annual report 1/ of the Commissioner-General of UNRWA for the above-mentioned period.

5. During the period under review, there were 251 cases of unauthorized entry into UNRWA premises in the West Bank by the Israeli authorities. Of these, 140 related to schools and 48 to health centres. In the Gaza Strip there were 367 such cases, of which 152 related to schools and 153 to health centres. UNRWA has taken up these cases with the Israeli authorities who, in a number of instances, have claimed that UNRWA premises were entered because stones had been thrown from within, or stone-throwers were being chased into the premises.

6. During the same period, there was one fatality and 1,678 cases of injury among students and trainees at UNRWA educational institutions in the West Bank. The corresponding figures for the Gaza Strip were one fatality and 1,503 injuries. These casualties were attributable to beatings, tear gas inhalation, rubber bullets and live ammunition. In addition, a total of 286 students and trainees in the West Bank and 181 in the Gaza Strip were detained, of whom 174 in the West Bank and 146 in the Gaza Strip were released by 30 June 1991.

7. UNRWA's training centres in the West Bank, which had been closed by military order from the beginning of 1988 until spring 1990, thereafter reopened and completed an abbreviated academic year of 24 weeks, instead of 36 to 40 weeks, at the end of September 1990, in the case of the Ramallah Men's and Women's Training Centres, and in mid-October 1990 in the case of the Kalandia Training Centre. The 1990/91 academic year began in November 1990 but was interrupted virtually continuously from 31 December 1990 through 20 March 1991 as a result of military closures and the general curfew imposed during the Gulf War. Apart from this serious interruption, the centres operated for the most part normally, with some additional days lost due to strikes. The first semester ended in late June 1991, with the second semester scheduled to continue immediately through and beyond the summer until the academic year is completed. The UNRWA training centre in the Gaza Strip was

closed for a total of 132 teaching days from 1 September 1990 to 30 June 1991. As a result of a military order, the 1990/91 academic year began only in October 1990 instead of September 1990. The centre was closed from 16 January until 17 March due to the general curfew imposed during the Gulf War and lost additional days due to other military closure orders, curfews and strikes. Otherwise, the centre operated for the most part normally, and is expected to complete the 1990/91 academic year by operating through the summer.

8. In the West Bank, a total of 40 per cent of school time was lost between September 1990 and June 1991, due primarily to military closures, general strikes, and curfews, including the general curfew imposed as a result of the Gulf War. The most seriously affected schools in the West Bank were the five schools in Tulkarm camp serving 2,208 pupils, which students attended for only 33 days from the beginning of the academic year until classes were allowed to reopen on 12 June 1991, following negotiations between UNRWA and the Israeli authorities. In the Gaza Strip, a total of 41 per cent of school time was lost from September 1990 to June 1991. These interruptions stemmed primarily from military closures, general strikes, and curfews, including the general curfew imposed as a result of the Gulf War.

9. During the reporting period, the Agency provided students in the West Bank and the Gaza Strip with distance education and self-learning materials, but such measures can provide only partial compensation for lost classroom time. Preliminary analysis of achievement tests that UNRWA administered in 1990 to all grade levels in these areas discloses a detrimental effect on the educational performance of students, especially those in the lower elementary grades, and on subjects such as mathematics and sciences. The Israeli authorities have taken the general position that UNRWA should conform to the school openings and times of schools run by the Civil Administration. UNRWA did not agree to subordinate the opening and closure of schools to the Civil Administration programme but was, however, forced to end the school year at the same time as schools operated by the Civil Administration because security considerations were invoked and a military closure order served on UNRWA.

Notes

1/ Official Records of the General Assembly, Forth-sixth Session, Supplement No. 13 (A/46/13), paras. 66-69 and 76-79.

UNITED NATIONS

A

General Assembly

Distr.
GENERAL

A/46/542
15 October 1991
ENGLISH
ORIGINAL: ARABIC/ENGLISH/
FRENCH/SPANISH

Forty-sixth session
Item 98 (b) of the agenda

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Human rights and mass exoduses

Report of the Secretary-General

CONTENTS

		Paragraphs	Page
I.	INTRODUCTION	1 - 3	2
II.	ACTION TAKEN BY THE SECRETARY-GENERAL	4 - 11	3

Annexes

I.	Replies received from Member States	5
II.	Replies received from United Nations bodies, specialized agencies and intergovernmental organizations	11
III.	Replies received from non-governmental organizations	13

I. INTRODUCTION

1. In its resolution 45/153 of 18 December 1990, the General Assembly, inter alia, again invited all Governments and intergovernmental and humanitarian organizations concerned to intensify their cooperation with and assistance to world-wide efforts to address the serious problems resulting from mass exoduses of refugees and displaced persons, and also the causes of such exoduses; requested all Governments to ensure the effective implementation of the relevant international instruments, in particular in the field of human rights, as this would contribute to averting new massive flows of refugees and displaced persons; invited the Commission on Human Rights to keep the question of human rights and mass exoduses under review with a view to supporting the early warning arrangement instituted by the Secretary-General to avert new massive flows of refugees and displaced persons; took note of the report of the Secretary-General on human rights and mass exoduses (A/45/607), and invited him to inform the Assembly in future reports of the modalities of early warning activities to avert new and massive flows of refugees; took note of the establishment by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees of the Working Group on Solutions and Protection; welcomed the report of the Joint Inspection Unit (JIU) entitled "The coordination of activities related to early warning of possible refugee flows" (A/45/649 and Corr.1, annex); specially encouraged the Secretary-General to continue to discharge the task described in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees (A/41/324, annex), including the continuous monitoring of all potential outflows, keeping in mind the recommendations of JIU; requested the Secretary-General to intensify his efforts to develop the role of the Office for Research and the Collection of Information of the Secretariat as a focal point for the operation of an effective early-warning system and the strengthening of coordination of information-gathering and analysis among United Nations agencies with a view to preventing new massive flows of refugees and displaced persons; urged the Secretary-General to allocate the necessary resources to consolidate and strengthen the system for undertaking early-warning activities in the humanitarian area by, inter alia, the computerization of the Office for Research and the Collection of Information and strengthened coordination among the relevant parts of the United Nations system, especially that Office, as well as the Office of the United Nations High Commissioner for Refugees, the Centre for Human Rights of the Secretariat and the relevant specialized agencies; requested the Secretary-General to make the necessary information available to the competent United Nations organs, bearing in mind the recommendations of JIU; invited bodies of the United Nations system to consider the most expedient ways and means of following up the recommendations of JIU on coordination; requested the Secretary-General to report to the General Assembly at its forty-sixth session on the strengthened role that he is playing with regard to early-warning activities, especially in the humanitarian area, as well as on any further developments relating to the recommendations contained in the report of the above-mentioned Group of

Governmental Experts; and invited the Secretary-General to keep the Assembly informed of the efforts to follow up recommendations of the Joint Inspection Unit.

2. The Commission on Human Rights, in its resolution 1991/73 of 6 March 1991, while reiterating the above-mentioned invitation and request addressed to all Governments and international organizations concerned, inter alia, welcomed the report of JIU; invited the Secretary-General, all intergovernmental agencies and offices, as well as international agencies concerned, speedily to implement the recommendations contained in the report, particularly with regard to the establishment of a working group and of a consultative machinery within the United Nations system for early warning of possible refugee flows and displaced persons; requested the Secretary-General to continue to develop the role of the Office for Research and the Collection of Information to strengthen the coordination of information-gathering and analysis with agencies so as to provide early warning of developing situations requiring the attention of the Secretary-General, as well as to provide a focal point within the United Nations system for policy response, including identification of policy options for the Secretary-General; also requested the Secretary-General to make the necessary information available to the competent United Nations organs, bearing in mind the recommendations of JIU; urged the Secretary-General to allocate the necessary resources to consolidate and strengthen the system for undertaking early-warning activities in the humanitarian area; and looked forward to the report of the Secretary-General to the General Assembly at its forty-sixth session.

3. In view of his reporting responsibility under those resolutions, the Secretary-General, on 26 April 1991, addressed notes verbales to all Governments and letters to United Nations bodies, specialized agencies and intergovernmental and non-governmental organizations concerned and requested them to provide him with information and views relating to the recommendations contained in the report of the Group of Governmental Experts. The replies received from Australia, Belgium, Brunei Darussalam, Chad, Iraq, Rwanda, Turkey and Uruguay are reproduced in annex I to the present report; the replies received from the Food and Agriculture Organization of the United Nations (FAO), as well as from the International Fédération Terre des Hommes are reproduced in annexes II and III, respectively.

II. ACTION TAKEN BY THE SECRETARY-GENERAL

4. As requested under General Assembly resolution 45/153 and Commission on Human Rights resolution 1991/73, as well as other relevant resolutions, the Secretary-General has kept matters related to human rights and mass exoduses under review and has made further efforts to consolidate and strengthen the role of the United Nations in undertaking early-warning activities, including in the humanitarian area, in the light of the recommendations contained in the report of the Group of Governmental Experts. The Office for Research and the Collection of Information of the Secretariat has continued to assist the Secretary-General in this function.

5. The Office monitors political developments that are seen to have a bearing on the maintenance of international peace and security and provides the Secretary-General accordingly with up-to-date information about those situations in the world which are likely to generate new mass flows of refugees and other displaced persons. The Secretary-General has made his good offices available to assist in solving some of these situations.

6. In its resolution 45/153, the General Assembly welcomed the report of JIU entitled "The coordination of activities related to early warning of possible refugee flows".

7. At its meeting in April 1991, the Administrative Committee on Coordination (ACC) also took note of the JIU report and decided to establish an Ad Hoc Working Group on Early Warning regarding New Flows of Refugees and Displaced Persons, which was mandated to develop an effective early-warning system related to possible flows of refugees and displaced persons, including practical measures of cooperation and procedures for gathering, analysing and disseminating information in a timely manner to all concerned, and to make recommendations on the need for an inter-agency consultative mechanism.

8. The ACC Ad Hoc Working Group is composed of representatives of appropriate United Nations organizations including the United Nations (the Department of International Economic and Social Affairs of the Secretariat, the Office of the United Nations Disaster Relief Coordinator (UNDRO), the Centre for Human Rights, and the Office for Research and the Collection of Information), FAO, the United Nations Educational, Scientific and Cultural Organization, the World Health Organization, the United Nations Environment Programme, the United Nations Development Programme, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees and the World Food Programme. The Working Group has begun its work and is expected to submit its report to the ACC at its second regular session in 1991.

9. In reaction to the JIU report and its principal recommendations and in anticipation of the outcome of the deliberations of the ACC Working Group, the Office for Research and the Collection of Information has intensified its search for additional resources to accelerate the computerization of its early-warning work. It is expected that a temporary post will become available in the biennium 1992-1993 so that a computer specialist can be recruited to further the development of the ORCIDATA system.

10. In this connection, the Office has continually revised its approach to the early-warning system, especially in regard of refugees and other displaced persons and searched for additional measures of inter-agency cooperation and coordination necessary for making such a system fully operational.

11. As a result of the JIU report, the Office has initiated close contacts with a large number of United Nations agencies and offices in pursuit of the elaboration of a system-wide network for early warning of potential mass exoduses and in response to the call of the General Assembly that the Office strengthen its current capacity to assist in the ongoing monitoring of the root causes of such potential mass flows.

ANNEX I

Replies received from Member States

AUSTRALIA

[Original: English]

[3 September 1991]

1. The Australian Government wishes to endorse the overall theme of General Assembly resolution 45/153 and Commission on Human Rights resolution 1991/73 and to support continued efforts on the part of the Secretary-General to avert new exoduses of refugees and displaced persons. To this end, the Australian Government endorses those sections of the resolutions urging the Secretary-General to implement the recommendations of JIU and the Group of Governmental Experts aimed at increasing international cooperation and enhancement of early-warning mechanisms.

2. The Australian Government would, however, like to draw attention to practical measures being undertaken concurrently under the auspices of the Economic and Social Council, in particular the consideration of the report of Consultant Jacques Cuenod on the coordination of United Nations responses to humanitarian emergencies, which relate directly to the themes canvassed in these resolutions. The Australian Government considers that the nexus between these initiatives should be taken into consideration by the General Assembly and the Commission on Human Rights to encourage a comprehensive approach to the problems posed by mass exoduses of refugees and displaced persons.

BELGIUM

[Original: French]

[9 August 1991]

1. The Belgian Government attaches particular importance to the results of the Vienna and Rome Conferences on Migration (January and March 1991). It considers that priority should be given to remedying the causes of population exoduses rather than their effects, and to seeking, with the countries of origin - especially through aid programmes - ways of organizing the proper movement of persons which would not lead to mass exoduses.

2. Furthermore, Belgium participated in the meeting of senior officials held in Stockholm in June 1991, which examined possible measures for preventing the free movement of persons developing into illegal immigration whilst ensuring that such measures do not result in violations of the right of asylum.

BRUNEI DARUSSALAM

[Original: English]

[13 August 1991]

In our region, the problem of the so-called "Vietnamese Boat People" still remains and continues to be the burden of the countries of first asylum. It is to be noted that some of these boat people are not genuine refugees. The so-called non-refugees are not eligible for resettlement and rather than remaining indefinitely in detention camps in the region, they must return to their country of origin. In this regard, Brunei Darussalam believes that the problem should be addressed at the source and the country of origin of the boat people should have a moral obligation to accept back its own people.

CHAD

[Original: French]

[16 July 1991]

1. Finding a lasting solution to the problems of refugees and mass exoduses of population implies constant research into ways and means of achieving this objective. Therefore, the continuing efforts of the international community to take new measures to avert new flows of refugees or to remedy the existing situation should be encouraged. The Government of Chad accordingly welcomes the recommendations of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, and is prepared to support them in the adoption of General Assembly resolutions.

2. For many years, Chad has experienced civil war and repeated attacks from outside, causing the massive departure of its population, and has had to turn to international cooperation in order to facilitate the return home of those Chadians who had fled the war. Tripartite arrangements between Chad, the United Nations High Commissioner for Refugees and each of Chad's neighbouring countries, namely Cameroon, the Niger, Nigeria, the Sudan and the Central African Republic, have enabled thousands of Chadians to be repatriated and to be resettled in their region of origin.

3. Since the change of government of 1 December 1990, the new authorities have adopted both domestic and foreign policies aimed at creating a climate conducive to peace. Chad's foreign policy is characterized by its support for and attachment to the principles of the United Nations and the Organization of African Unity and of non-alignment, respect for territorial integrity and non-interference in the domestic affairs of States. Chad has signed bilateral cooperation agreements with all its neighbouring countries and established with them joint commissions whose main task is to review annually political, economic, social and cultural problems.

4. In its domestic policy, Chad has embarked upon a process of democratization, the introduction of a multi-party system and respect for human rights.

IRAQ

[Original: Arabic]

[17 June 1991]

1. Having considered General Assembly resolution 45/153 and Commission on Human Rights resolution 1991/73, and particularly paragraph 13 of the Assembly resolution concerning the Secretary-General's role in early-warning activities, especially in the humanitarian area, in this connection the Government of Iraq wishes to refer to the recommendations of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, particularly those contained in paragraph 63 of its report (A/41/324, annex) concerning full observance of the principle of non-intervention in the internal affairs of sovereign States when dealing with questions involving massive flows of refugees.

2. In keeping with United Nations principles and the recommendations of the Group of Governmental Experts, particularly paragraphs 66 to 72 containing their recommendations, on 18 April 1991 Iraq signed a memorandum of understanding with Mr. Sadruddin Aga Khan, the Executive Delegate of the Secretary-General for the United Nations Humanitarian Programme for Iraq, Kuwait and the Iraq-Iran and Iraq-Turkey Border Areas.

3. That memorandum comprised 21 paragraphs, the second of which indicated that the Government of the Republic of Iraq welcomed the United Nations endeavours to encourage the voluntary return of Iraqi refugees to their places of residence. That paragraph also made provision for humanitarian measures to avert new flows of refugees and contained an undertaking by the Government of Iraq to support fully and cooperate with the United Nations and its specialized agencies and programmes in that regard.

4. The Government of Iraq also agreed to cooperate with the United Nations so that the latter could maintain a humanitarian presence in Iraq wherever such presence was necessary (para. 4 of the memorandum).

5. Paragraph 20 of the memorandum stipulated that the application of the principles contained in the memorandum must not prejudice the sovereignty, territorial integrity, political independence or security of the Republic of Iraq and must not entail interference in its internal affairs.

6. The competent Iraqi civilian and military authorities are cooperating with the United Nations and its specialized agencies pursuant to the provisions of the memorandum of understanding in order to facilitate the voluntary return of the Iraqi refugees and avert new flows of refugees.

7. The Command Council of the Revolution has promulgated a number of general amnesty decrees in respect of the crimes committed by the refugees in order to facilitate their return. The decrees concerned are Nos. 102 of 10 April 1991, 104 of 11 April 1991, 105 of 17 April 1991 and 121 of 29 April 1991. Most of the persons who left have now returned to their homes.

The military presence in northern Iraq: its violation of territorial sovereignty and its interference in Iraq's internal affairs

8. The memorandum of understanding between the United Nations and the Government of Iraq had hardly entered into force when the United States, French, British, the Netherlands and other military forces intervened in northern Iraq on the pretext of providing humanitarian aid in violation of the General Assembly resolutions and the recommendations which had emphasized the need to respect the sovereignty of States and refrain from interfering in their internal affairs. This hampered the implementation of the memorandum of understanding, as well as the return of the refugees.

9. Iraq shares the United Nations view concerning the causes of massive flows of refugees in the wake of armed conflicts and agrees that the humanitarian aspects of the refugee problem must be dealt with by the United Nations and international humanitarian organizations without military or political interference by States in the internal affairs of other States and without using humanitarian needs as a means to exert political pressure.

10. The violation of these principles implies a violation of the right of States to exercise sovereignty over their territory and their citizens in a manner consistent with their commitment to the principles set forth in the Charter of the United Nations and international human rights instruments.

11. Iraq's third periodic report on its application of the International Covenant on Civil and Political Rights contained detailed information concerning the reasons for the migration of Iraqi citizens to neighbouring States and the measures that have been taken by the Government of Iraq in collaboration with the United Nations.

RWANDA

[Original: French]

[21 June 1991]

1. The Government of Rwanda has no particular information or observations to make on the recommendations contained in the report of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees.

2. However, as the Government of Rwanda is itself currently engaged in finding a definitive solution to the problem of Rwandese refugees, it can only

encourage any initiative which might avert new massive flows of refugees, particularly when it represents a commitment on the part of the international community.

TURKEY

[Original: French]

[5 August 1991]

1. The Government of Turkey considers that the significance and relevance of resolution 1991/73, which was also sponsored by Turkey, have once more been demonstrated by the dramatic mass exodus of hundreds of thousands of Iraqis from northern Iraq, which took place during April 1991 and which had serious consequences for Turkey.

2. As a result of internal developments in Iraq in April 1991, about 500,000 men, women and children massed on the border between Turkey and Iraq within the space of a few days. Despite the extremely hostile geographical and climatic conditions of these areas and despite the absence of an international aid system, Turkey made a great effort to meet the essential needs of these persons in distress as rapidly as possible, sacrificing its own resources in order to do so. However, in view of the clear impossibility of one country maintaining an aid operation of such a scale on its own, Turkey launched an appeal for international emergency aid after several days.

3. Through the aid operation carried out by international organizations and the Turkish authorities, the essential and urgent needs of the asylum-seekers for food, shelter and health care were soon met. Thus, owing to the mechanism that was set up, almost all the displaced persons have now returned to the security zone established for that purpose in northern Iraq.

4. During the aid operation, Governments and non-governmental organizations showed that they could take rapid and effective action as far as they were able. On the other hand, it was noted that the United Nations system could not act with the same rapidity. It would seem that the slowness of the United Nations system to react is due inter alia to the approach taken by the contributing countries, which preferred to wait first in order to see the full scale of the disaster in order to be able to determine the contribution needed.

5. This experience has once more proved that similar exoduses might very well occur again in some sensitive regions.

6. Consequently, as it has already had to deal with several mass exoduses from various regions, the Turkish Government considers that the development of procedures such as the early-warning system is vital and that sustained work should be carried out on the problem. Furthermore, in view of the lessons that have been learnt from the drama of the Iraqi asylum-seekers, it is extremely important to take into consideration the losses and the devastation suffered both by the inhabitants of the region and the environment during similar outflows.

URUGUAY

[Original: Spanish]

[29 May 1991]

1. Uruguay fully endorses the conclusions and recommendations of the Group of Governmental Experts on International Cooperation to Avert New Flows of Refugees, and agrees that political, economic and social problems, which are normally interrelated, together with the pressure simultaneously created by the general international situation, may be destabilizing factors having direct effects on our community and entailing or potentially generating massive flows of refugees.

2. Uruguay, on the basis of a democratic legal regime which guarantees the fullest possible enjoyment of all fundamental human rights, therefore supports and emphasizes the essential role of international and inter-State cooperation in this matter.

ANNEX II

Replies received from United Nations bodies, specialized agencies and intergovernmental organizations

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

[Original: English]

[21 August 1991]

1. FAO shares the concerns of the General Assembly and the Commission on Human Rights over the hardships faced by displaced persons and their host countries, particularly as it is the developing countries that are increasingly confronted by large influxes of distressed people.

2. The resolutions of both the General Assembly and the Commission on Human Rights, as well as the conclusions and recommendations of the Group of Governmental Experts, essentially call for concerted actions in the global effort to solve the problem of "Human rights and mass exoduses". Among these, the initiative taken by the Secretary-General on an "effective early-warning system and the strengthening of coordination of information-gathering and analysis among the United Nations agencies with a view to preventing new massive flows of refugees and displaced persons", is of particular relevance to the Global Information and Early-Warning System (GIEWS) of FAO.

3. The work of GIEWS has earned the appreciation of the Secretary-General; its potential contribution towards the achievement of the mandate of the Office for Research and the Collection of Information of the Secretariat has also been fully recognized, and FAO is represented in the ACC Ad Hoc Working Group on Early Warning regarding New Flows of Refugees and Displaced Persons. At the Group's first meeting, held at Geneva from 19 to 21 June 1991, participants were briefed by the FAO representative on the relevant activities of the Organization, drawing particular attention to the information and analysis that GIEWS could offer. At subsequent meetings, a number of important issues, including the mode of cooperation between the Office and FAO will be defined as will the content and form of the information to be provided by FAO.

4. FAO wishes therefore to reaffirm here its willingness to provide information useful to the strengthened role the Secretary-General is playing in undertaking early-warning activities.

5. It should be noted in this connection that FAO continues its effort to strengthen country monitoring by the employment of local personnel to report regularly on crop conditions and on anomalies in the agricultural sector. Moreover, FAO continues to assist developing countries in the formulation of national preparedness plans, which are essential to ensure stability of food supplies and to cope with food emergencies. Other important FAO activities

relevant to the resolutions under consideration are the establishment of national and regional early-warning systems and workshops on early-warning and food information systems.

6. Considering the mandate of FAO for agricultural and rural development, much of the Organization's work in fact addresses important causes of economically induced population flight - poverty, environmental degradation and untenable standards of living in rural areas. Through programmes, projects and policy advice to requesting member Governments, FAO seeks to create conditions in which people in rural areas can secure adequate livelihoods and meet their basic needs in a sustainable manner, thus helping to avert economically induced migrations. The main strategies were summarized in the Den Bosch Declaration and Agenda for Action, adopted by the FAO/Netherlands "Conference on Agriculture and the Environment" in April 1991. These included agricultural and supporting economic policies, and socio-economic reforms to improve equity and reduce poverty - such as increasing access of the poor to land and other productive resources, developing and transferring sustainable agricultural technologies that build on traditional knowledge, expanding non-farm employment and promoting effective participation of the most disadvantaged rural groups, especially women.

7. In the case of natural disasters, emergency activities on the part of FAO's Office of Special Relief Operations aim to restore normal living conditions so that inhabitants need not abandon their home areas.

8. FAO is also able to bring its expertise to bear in situations where refugee flight has already occurred. Through farm and non-farm rural income-generating programmes, FAO and Governments of host countries work together to create conditions in which displaced people are able to earn their own livelihoods - whether over the short or long term.

9. Finally, in view of the link between food shortages and massive displacement of people in several countries, FAO is concerned about the inadequacy of resources to assist developing countries to cope with the fragility of their agricultural sectors and a number of unfavourable institutional, infrastructural, social and economic constraints.

ANNEX III

Replies received from non-governmental organizations

INTERNATIONAL FEDERATION TERRE DES HOMMES

[Original: French]

[20 August 1991]

1. The International Federation Terre des Hommes considers the problem of refugees and displaced persons one of the major challenges which the international community must face in the coming years. The Federation is greatly concerned about this issue because, in massive population displacements, children are naturally the primary victims, some in irremediable ways. This painful problem must be addressed with a solution which involves the least possible hardship, which conforms to international norms in the area of human rights and which respects the dignity of displaced persons.

2. It is unrealistic to think that the migratory flows we are now seeing, which are drawing third world and Eastern European populations to the Western countries, will be spontaneously absorbed. The extreme disparity in incomes between the Western countries and the rest of the world is the primary reason for this. It is clear that the economies of rich countries do not have the capacity to absorb all the refugees who appear at their doors, but such countries have a duty to cooperate with third world States in order to create a more just international order - the only means of preventing new flows of refugees. There are a limited number of ways to accomplish this, the most effective of which is development aid. Such aid should be provided in a suitable and well-targeted manner, since donors must ensure that it benefits the persons for whom it is intended. To be truly effective, the development must be based on the deeply-rooted aspirations of the deprived populations and must take place with their active participation at all levels. This, in our opinion, is the best way to prevent new massive displacements.

3. In all the development projects supported by its members, the Federation tries to put the above principles into practice; by so doing, it makes a contribution, on a very small scale, to the international effort to avert population displacements. Lastly, the plight of internal refugees, who are usually displaced by force within their own country, must not be forgotten. Having lost all their property, they live in shameful conditions, and are overlooked by intergovernmental organizations.